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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,745	08/05/2003	Denny Jaeger	4314	9665

7590 04/06/2007		EXAMINER
Harris Zimmerman		ROSWELL, MICHAEL
Law Offices of Harris Zimmerman		
Suite 710	ART UNIT	PAPER NUMBER
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Oakland, CA 94612	2173	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	**Applicant(s)**
Office Action Summary	10/635,745	JAEGER, DENNY
	Examiner	**Art Unit**	
	Michael Roswell	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _05 August 2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-34_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) _34_ is/are allowed.

6)☒ Claim(s) _1-4,7,9-14,17,19-24,27 and 29-31_ is/are rejected.

7)☒ Claim(s) _5,6,8,15,16,18,25,26,28,32 and 33_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _05 August 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)	4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3)☐ Information Disclosure Statement(s) (PTO/SB/08)	5)☐ Notice of Informal Patent Application
Paper No(s)/Mail Date _____ .	6)☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by

Thomson (US Patent 5,724,532).

Regarding claim 1, Thomson teaches displaying first and second onscreen objects,

moving the first onscreen object to be at least partially superimposed on the second onscreen

object, rendering the first object invisible and maintaining the second object visible, whereby the

combination of the two objects has the appearance of the second object and a user may

click/tap on the combination to actuate the first object, taught as the use of well-known file/folder

systems, which allow a user to drag a file icon over a folder icon to insert that file into the

particular folder, rendering the file icon "invisible", and allowing a user to actuate the file after

clicking/tapping on the folder icon, as can be seen at col. 2, lines 7-13.

Regarding claim 2, Thomson teaches the first object being moved by clicking and

dragging the first object to the second object, at col. 2, lines 7-13.

Regarding claim 9, Thomson teaches the first onscreen object being a switch, as

Applicant defines a switch on page 3 of the specification to be, "tapping or clicking or otherwise

actuating the switch 21 causes a defined action to occur within the computer system. For

example, the action may comprise calling forth a user-defined file such as a photo, audio, video,

or text". File/folder systems such as that employed by Thomson are well known in the art to allow a defined action such as the opening of user-defined file such as a photo, audio, video or text upon user manipulation.

Regarding claim 10, the icons employed by Thomson are inherently graphic objects.

Claims 11, 12, 14, 17, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Setogawa et al (US Patent 6,246,401), hereinafter Setogawa.

Regarding claim 11, Setogawa teaches displaying first and second onscreen objects, moving the first onscreen object to be at least partially superimposed on the second onscreen object, rendering the first object touch transparent, whereby the combination of the two objects has the appearance of both objects and a user may click/tap on the first object to actuate the second object, taught as the ability to assign a function to a target button (second object) through dragging and dropping a function icon (first object) onto the button, at col. 22, lines 9-19. The button then takes on the appearance of both the original button itself (in shape) and the function icon incorporated into it (through naming conventions, as can be seen in Fig. 10). The first object (function name) is "touch transparent" in that subsequent actuation of the button leads to the direct actuation of the assigned function.

Regarding claim 12, Setogawa teaches the dragging and dropping of a first onscreen object onto a second onscreen object, at col. 22, lines 9-19.

Regarding claims 14 and 17, Setogawa teaches the automatic "gluing together" of a first and second on screen object for conjoint movement on a display, as the first object incorporates elements of the second object into it's display, at col. 22, lines 9-19.

Regarding claim 19, the buttons and icons of Setogawa inherently constitute graphic objects.

Regarding claim 20, Setogawa teaches the second onscreen object (the button) being a switch, as Applicant defines a switch on page 3 of the specification to be, "tapping or clicking or otherwise actuating the switch 21 causes a defined action to occur within the computer system. For example, the action may comprise calling forth a user-defined file such as a photo, audio, video, or text". Buttons are well known in the art to be actuated and subsequently carry out a defined action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thomson and Edwards et al (US Patent 6,459,442), hereinafter Edwards.

Thomson has been shown to teach the display of first and second onscreen object, their combination through drag and drop methods, and clicking/tapping on the second object to actuate the first object.

However, Thomson fails to explicitly teach moving a first onscreen object by an arrow logic command entered by a user.

Edwards teaches a system for display management similar to that of Thomson. Furthermore, Edwards teaches moving a first onscreen object by an arrow logic command entered by a user, as can be seen in the "move" gesture 504 of Fig. 5, and at col. 5, line 67 through col. 6, line 2.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Thomson and Edwards before him at the time the invention was made to modify the system of Thomson to include the move gestures of Edwards. One would have been motivated to make such a combination for the advantage of applying different behaviors to displayed objects. See Edwards, col. 1, line 66 to col. 2, line 4.

Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomson and Levine et al (US Patent 5,060,135), hereinafter Levine.

Regarding claim 4, Thomson has been shown to teach the display of first and second onscreen object, their combination through drag and drop methods, and clicking/tapping on the second object to actuate the first object.

However, Thomson fails to explicitly teach the gluing together of the first and second object for conjoint movement on a display screen.

Levine teaches a file/folder system similar to that of Levine, where icons may be

dragged and dropped upon one another to carry out various functions. Furthermore, Levine

teaches gluing together a first and second object for conjoint movement on a display screen, at

col. 6, lines 46-62 and col. 12, lines 46-50.

Therefore, it would have been obvious to one of ordinary skill in the art, having the

teachings of Thomson and Levine before him to modify the file/folder system to Thomson to

include the icon stacking of Levine. One would have been motivated to make such a

combination for the advantage of an "every-day", "friendlier", office-like interface familiar to a

user, at col. 3, lines 21-27.

Regarding claim 7, Levine teaches the gluing of a first onscreen object to a second

onscreen object due to at least partial superposition, at col. 6, lines 56-62.

Claims 13 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Setogawa and Edwards.

Regarding claims 13 and 23, Setogawa has been shown to teach displaying first and

second onscreen objects, moving the first onscreen object to be at least partially superimposed

on the second onscreen object, rendering the first object touch transparent, whereby the

combination of the two objects has the appearance of both objects and a user may click/tap on

the first object to actuate the second object, taught as the ability to assign a function to a target

button (second object) through dragging and dropping a function icon (first object) onto the

button, at col. 22, lines 9-19. The button then takes on the appearance of both the original

button itself (in shape) and the function icon incorporated into it (through naming conventions,

as can be seen in Fig. 10). The first object (function name) is "touch transparent" in that

subsequent actuation of the button leads to the direct actuation of the assigned function.

However, Setogawa fails to explicitly teach moving a first onscreen object by an arrow

logic command entered by a user.

Edwards teaches a system for display management similar to that of Setogawa.

Furthermore, Edwards teaches moving a first onscreen object by an arrow logic command

entered by a user, as can be seen in the "move" gesture 504 of Fig. 5, and at col. 5, line 67

through col. 6, line 2.

Therefore, it would have been obvious to one of ordinary skill in the art, having the

teachings of Setogawa and Edwards before him at the time the invention was made to modify

the system of Setogawa to include the move gestures of Edwards. One would have been

motivated to make such a combination for the advantage of applying different behaviors to

displayed objects. See Edwards, col. 1, line 66 to col. 2, line 4.

Claims 21, 22, 24, 27, and 29-31 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Setogawa and Levine.

Regarding claim 21, Setogawa has been shown to teach displaying first and second

onscreen objects, moving the first onscreen object to be at least partially superimposed on the

second onscreen object, rendering the first object touch transparent, whereby the combination

of the two objects has the appearance of both objects and a user may click/tap on the first

object to actuate the second object, taught as the ability to assign a function to a target button

(second object) through dragging and dropping a function icon (first object) onto the button, at

col. 22, lines 9-19. The button then takes on the appearance of both the original button itself (in

shape) and the function icon incorporated into it (through naming conventions, as can be seen in Fig. 10). The first object (function name) is "touch transparent" in that subsequent actuation of the button leads to the direct actuation of the assigned function.

However, Setogawa fails to explicitly teach the obscuring of the second onscreen object by the first.

Levine teaches the aggregation of onscreen elements similar to that of Setogawa. Furthermore, Levine teaches the obscuring of a second onscreen object by a first, as icons may be "stacked" in any order the user sees fit. See col. 6, lines 46-62.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Setogawa and Levine before him at the time the invention was made to modify the onscreen element functionality assignment and object transparency of Setogawa to include the user-determinable icon obstruction of Levine. One would have been motivated to make such a combination for the advantage of an "every-day", "friendlier", office-like interface familiar to a user, at col. 3, lines 21-27.

Regarding claim 22, Setogawa teaches the dragging and dropping of a first onscreen object onto a second onscreen object, at col. 22, lines 9-19.

Regarding claims 24 and 27, Setogawa teaches the automatic "gluing together" of a first and second on screen object for conjoint movement on a display, as the first object incorporates elements of the second object into it's display, at col. 22, lines 9-19.

Regarding claim 29, the buttons and icons of Setogawa inherently constitute graphic objects.

Regarding claim 30, Setogawa teaches the second onscreen object (the button) being a switch, as Applicant defines a switch on page 3 of the specification to be, "tapping or clicking or otherwise actuating the switch 21 causes a defined action to occur within the computer system. For example, the action may comprise calling forth a user-defined file such as a photo, audio, video, or text". Buttons are well known in the art to be actuated and subsequently carry out a defined action.

Regarding claim 31, Setogawa has shown the ability to automatically make the first object touch transparent upon being moved into superposition on the second onscreen object, at col. 22, lines 9-19.

Allowable Subject Matter

Claim 34 is allowed.

Claims 5, 6, 8, 15, 16, 18, 25, 26, 28, 32 and 33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: regarding claim 34, the closest relevant prior art, Thomson, Levine, and Setogawa all fail to teach the combination of two objects having the function of a toggle switch, whereby the first object may be actuated by a first click/tap on the switch, and the second object may be actuated by a second click/tap on the switch. Setogawa teaches the assignment of a single function to a button, but fails to teach the assignment of two functions in a toggling manner. A further prior art search failed to produce any relevant results.

Regarding claims 5, 6, 8, 15, 16, 18, 25, 26, 28, 32 and 33, Thomson, Levine and Setogawa fail to teach or suggest the use of an "Info Canvas" for managing the "glue" properties of onscreen objects. Nakajima et al (US Patent 7,089,502) discloses the use of and icon properties sheet similar to the "Info Canvas" of the claims, but fails to teach or suggest using said properties sheet for managing a "gluing" function between multiple onscreen objects.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited prior art pertains to the manipulation of onscreen objects and their functionality, and the state of the art in general.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571) 272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Roswell
3/30/2007

TADESSE HAILU
Patent Examiner